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2 **REMARKS**

3 Claims 1, 26, 48, 64 and 76-79 are amended. Claims 1-79 remain in the
4 application. In view of the following remarks, Applicant respectfully requests
5 reconsideration and allowance of the subject application.

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7 **The § 101 Rejections**

8 Claims 1-79 stand rejected under 35 U.S.C. § 101. In this regard, the
9 Office argues (1) that these claims “are data structure *per se*” and (2) that these
10 claims “do not provide a tangible result”.

11 Applicant respectfully disagrees. First, Applicant is unaware of any case
12 that holds that a data structure is *per se* non-statutory. Perhaps more importantly,
13 these claims cannot be characterized as being directed to a “data structure *per se*”.
14 Specifically, claim 1 recites “[a] computer-readable storage medium encoded with
15 a data structure...”, claim 26 recites “[a] method...”, claim 48 recites “[a] system
16 for, Applicant submits that the subject claims and the specification are replete with
17 tangible results.

18 Nevertheless, in the interest of advancing the prosecution of this matter,
19 Applicant has made clarifying amendments in a manner consistent with the
20 amendment approaches that Examiner Lemma agreed, if followed, would result in
21 these rejections being withdrawn. Accordingly, for at least this reason, these
22 claims are allowable.
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1 **The § 112 Rejections**

2 Claims 76-79 are rejected under 35 U.S.C. § 112. In this regard, the Office
3 argues that the term 'the camera settings' lacks antecedent basis. Accordingly,
4 Applicant has made clarifying amendments to these claims such that the claims
5 now have antecedent basis for this term. Therefore, Applicant respectfully
6 requests that these rejections be withdrawn.

7
8 **The § 102(a) rejections based QuickTime**

9 Claims 1-79 stand rejected under 35 U.S.C. § 102(a) as being anticipated
10 by a publication entitled "QuickTime File Format" (hereinafter "QuickTime"),
11 Apple Developer Manuals, Online! (Dated March 1, 2001 and anonymously
12 authored).

13 Claim 1, as amended [added language in bold italics], recites a computer-
14 readable ***storage*** medium encoded with a data structure for use in an image file ***to***
15 ***store data***, the data structure comprising:

- 16
- 17 • a data portion ***comprising***:
 - 18 ○ first image data related to a first multimedia stream ***of***
19 ***multimedia data***; and
 - 20 ○ first arbitrary data related to a second multimedia stream
21 ***of multimedia data***; and
 - 22 • a header portion ***comprising***:
 - 23 ○ a first header object comprising information related to the
24 first multimedia stream; and
 - 25 • a second header object comprising information related to the second
 data multimedia stream.

26 In making out the rejection of claim 1, the Office argues that the
27 QuickTime reference discloses all the subject matter of claim 1.

1 Applicant respectfully disagrees and traverses the Office's rejection. In this
2 regard, Applicant notes that the rejection proffered by the Office does not address
3 the subject matter recited in this claim. For instance, the rejection does not
4 address "a data portion *comprising...* first image data; and ... first arbitrary
5 data..." as claimed. Instead, it appears that the rejection is directed specifically to
6 the subject matter recited claim 26.

7 Nevertheless, Applicant has thoroughly searched the QuickTime reference
8 and is unable to find any description of the subject matter recited in claim 1.
9 Accordingly, for at least this reason, claim 1 is allowable.

10 Claims 2-25 depend from claim 1 and are allowable as depending from an
11 allowable base claim. These claims are also allowable for their own recited
12 features which, in combination with those recited in claim 1, are not disclosed in
13 the QuickTime reference.

14 Claim 26, as amended [added language in bold italics], recites a method for
15 forming an image container file *for storing data associated with one or more*
16 *multimedia streams*, comprising:

- 17 • collecting image data;
- 18 • forming a first multimedia stream in the image container file, the
19 first multimedia stream including a first image data derived from the
20 collected image data and a first header object having information
21 related to the first image data;
- 22 • collecting arbitrary data *associated with the collected image data*;
23 and
- 24 • forming a second multimedia stream in the image container file, the
25 second multimedia stream including first arbitrary data derived from
the collected arbitrary data and a second header object having
information related to the first arbitrary data.

1 In making out the rejection of claim 26, the Office argues that the
2 QuickTime reference discloses all the subject matter of claim 26.

3 Applicant respectfully disagrees and traverses the Office's rejection. First,
4 Applicant is unable to find any mention of "a first image data derived from the
5 collected image data" on Page 17 of the QuickTime reference. As such, Page 19
6 of the QuickTime reference, which provides a general description of an "atom
7 header", could not possibly disclose "a first header object having information
8 related to the first image data" as claimed.

9 Second, Applicant is also unable to find any mention of "first arbitrary data
10 derived from the collected arbitrary data" or "a second header object having
11 information related to the first arbitrary data" on Page 36 of the QuickTime
12 reference. Instead, this excerpt merely provides a high level description of "User
13 Data Atoms" and their basic function.

14 The QuickTime reference fails to disclose all the subject matter of claim 26.
15 Accordingly, for at least this reason, claim 26 is allowable.

16 Claims 27-47 depend from claim 26 and are allowable as depending from
17 an allowable base claim. These claims are also allowable for their own recited
18 features which, in combination with those recited in claim 26, are not disclosed in
19 the QuickTime reference.

20 Claim 48, as amended [added language in bold italics], recites a system for
21 storing image data, the system comprising:

- 22
- 23 • an image data receiver; and
 - 24 • an image file generator to form an image container file *to store*
25 *image data, the image container file* having a plurality of
multimedia streams, the plurality of multimedia streams including a
first multimedia stream and a second multimedia stream, wherein the

1 first multimedia stream to include first image data derived from
2 image data received by the image data receiver, and the second
3 multimedia stream to include arbitrary data.

4 In making out the rejection of claim 48, the Office argues that the
5 QuickTime reference discloses all the subject matter of claim 48.

6 Applicant respectfully disagrees and traverses the Office's rejection. First,
7 Applicant notes that the rejection proffered by the Office does not specifically
8 address the subject matter recited in claim 48. Instead, it appears that this rejection
9 is directed specifically to claim 26. For instance, the rejection does not address
10 "an image file generator" as claimed. Nevertheless, Applicant has thoroughly
11 searched the QuickTime reference and submits that it simply fails to disclose this
12 subject matter. As such, page 17 of the QuickTime reference could not possibly
13 disclose "first image data derived from image data received by the image data
14 receiver" as claimed. Furthermore, the QuickTime reference fails to disclose "the
15 second multimedia stream to include arbitrary data" as claimed.

16 Accordingly, for at least this reason, claim 48 is allowable.

17 Claims 49-63 depend from claim 48 and are allowable as depending from
18 an allowable base claim. These claims are also allowable for their own recited
19 features which, in combination with those recited in claim 48, are not disclosed in
20 the QuickTime reference.

21 Claim 64, as amended [added language in bold italics], recites a system
22 comprising:

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- 24 • means for collecting image data; and
 - 25 • means for generating an image container file *to store image data, the image container file* including a plurality of multimedia streams, the plurality of multimedia streams including a first multimedia

stream and a second multimedia stream, wherein the first multimedia stream includes first image data derived from image data received by the image data receiver, and the second multimedia stream includes arbitrary data.

In making out the rejection of claim 48, the Office relies on the same argument it proffers in rejecting claims 1, 26 and 48. Accordingly, for the reasons given above with respect to claim 48, Applicant respectfully traverses the Office's rejection and submits that the QuickTime reference fails to disclose all the subject matter recited in claim 64. Accordingly, for at least this reason, claim 64 is allowable.

Claims 65-79 depend from claim 64 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 64, are not disclosed in the QuickTime reference.

Conclusion

All of the claims are in condition for allowance. Accordingly, Applicant requests a Notice of Allowability be issued forthwith.

Respectfully Submitted,

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